

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

WILLIE BRACKENS,

Plaintiff,

v.

**DALLAS INDEPENDENT SCHOOL
DISTRICT,**

Defendant.

§
§
§
§
§
§
§
§
§
§

Civil Action No. 3:09-CV-0642-D

ORDER

After making an independent review of the pleadings, files, and records in this case, including the September 20, 2010 findings, conclusions, and recommendation of the United States Magistrate Judge, the court concludes that the conclusions are correct and they are adopted as the conclusions of the court.

Treating plaintiff's November 12, 2010 motion to amend motion for reconsideration of magistrate judge findings, conclusions, and recommendations as a motion to amend her objections to the findings, conclusions, and recommendation of the United States Magistrate Judge, the court grants the motion. Having considered plaintiff's November 8, 2010 objections (which she styled as a "motion for reconsideration"), as amended on November 12, 2010, and conducted *de novo* review, the court overrules the objections.

Accordingly, the June 3, 2010 motion for summary judgment of defendant Dallas Independent School District's ("DISD") is granted, and plaintiff's action against DISD, except for her claim under the Health Insurance Portability and Accountability Act ("HIPAA"), is dismissed with prejudice. Plaintiff's claim under HIPAA is dismissed without prejudice for lack of subject matter jurisdiction.

SO ORDERED.

December 30, 2010.



SIDNEY A. FITZWATER
CHIEF JUDGE